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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION

JOANELL NESTOR : DOCKET NO. 2:09-cv-1049  
VS. : JUDGE MINALDI  
ERIC H. HOLDER, JR. : MAGISTRATE JUDGE KAY

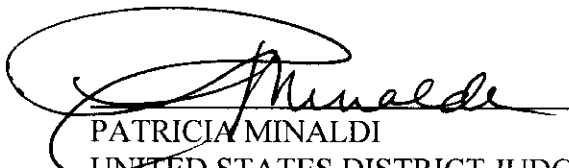
**JUDGMENT**

There being no objection to the proposed findings of fact and conclusions of law in the Report and Recommendation of the Magistrate Judge previously filed herein these findings and conclusions are accepted. Alternatively, this court concludes that the proposed findings and conclusions are entirely correct. Accordingly, it is

ORDERED that the motion to Dismiss be GRANTED.

IT IS FURTHER ORDERED that the Petition for Writ of Habeas Corpus be DISMISSED WITHOUT PREJUDICE.

THUS DONE AND SIGNED in Chambers at Lake Charles, Louisiana, this 24 day  
of February, 2010.

  
PATRICIA MINALDI  
UNITED STATES DISTRICT JUDGE